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P 9 #3

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David Saliwanchik

David R. Saliwanchik, Patent Attorney

INFORMATION DISCLOSURE
STATEMENT

Examining Group

Patent Application

Docket No. BB-123

Serial No. 10/519,826

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : not yet known
Applicants : Diego Walther, Michael Bader
Serial No. : 10/519,826
Filed : December 30, 2004
Conf. No. : not yet known
For : Neuronally Expressed Tryptophane Hydroxylase and its Use

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§1.97 AND 1.98

Sir:

The patent application referred to above was filed in the U.S. Patent Office as a national application under 35 USC §371. Copies of the International Search Report (ISR) and the references cited in the ISR have been made available in the national stage file. However, the applicants are attaching herewith copies of the same. In accordance with 37 CFR §1.56, Applicants hereby request that the references cited in the International Search Report and listed on the attached form PTO/SB/08 be made of record and considered in the examination of the subject application.

The applicants note that published International Application No. PCT/DE01/03178, having International Publication No. WO 02/17891, and cited as F2 on the attached form PTO/SB/08, was written in a foreign language. However, an English language abstract is provided in the reference. Applicants respectfully request that the reference be made of record and considered in the

examination of the subject application. Applicants also note that International Application No. PCT/DE01/03178 claims priority to German application DE 100 43 124.0.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement.

Respectfully submitted,



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DRS/gyl

Attachment: Form PTO/SB/08; copies of cited references.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/519,826
				Filing Date	December 30, 2004
				First Named Inventor	Diego Walther
				Art Unit	
Examiner Name					
Sheet	1	of	2	Attorney Docket Number	BB-123

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	U1	US-			
	U2	US-			
	U3	US-			
	U4	US-			
	U5	US-			
	U6	US-			
	U7	US-			
	U8	US-			
	U9	US-			

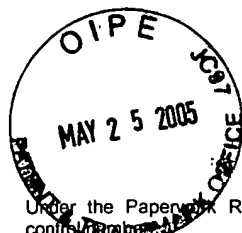
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	F1	WO 02/17891	03-07-2002	Max Delbrück Centrum	All	
	F2	WO 02/097039	12-05-2002	Lexicon Genetics Incorporated	All	
	F3					
	F4					
	F5					
	F6					
	F7					

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard T.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	10/519,826
		Filing Date	December 30, 2004
		First Named Inventor	Diego Walther
		Group Art Unit	
		Examiner Name	
Sheet	2	of	2
		Attorney Docket Number	BB-123

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	R1	CASH, C. D. "Why Tryptophan Hydroxylase is Difficult to Purify: A Reactive Oxygen-Derived Species-Mediated Phenomenon that May Be Implicated in Human Pathology" <i>General Pharmacology</i> , April 8, 1998, pp. 569-574, Vol. 30, No. 4.	
	R2	CHUNG, Y. I. <i>et al.</i> "Immunochemical Characterization of Brain and Pineal Tryptophan Hydroxylase" <i>Journal of Korean Medical Science</i> , August 2001, pp. 489-497, Vol. 16, No. 4.	
	R3	WALTHER, D. J. <i>et al.</i> "Synthesis of Serotonin by a Second Tryptophan Hydroxylase Isoform" <i>Science</i> , January 3, 2003, p. 76, Vol. 299, No. 5603.	
	R4	WALTHER, D. J. <i>et al.</i> "A Unique Central Tryptophan Hydroxylase Isoform" <i>Biochemical Pharmacology</i> , November 1, 2003, pp. 1673-1680, Vol. 66, No. 9.	
	R5		
	R6		
	R7		
	R8		
	R9		
	R10		
	R11		
	R12		
	R13		

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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